

25X1

CONFIDENTIAL

25X1

17. [] ADMINISTRATIVE - DELIVERY
Delivered to Guy McConnell, Senate Appropriations Defense Subcommittee staff, a position paper concerning the Burton amendment which prohibits covert action.

25X1

18. [] FOIA I called Carol McKissick, in Representative Bud Shuster's (R., Pa.) office, concerning the Freedom of Information request of Mr. Jacob Sitkin. I informed her that Mr. Sitkin's case is closed and that he had received a reply from Mr. Gene F. Wilson, Information and Privacy Coordinator, on 22 February 1976. Carol said she would note their records accordingly and expressed appreciation for my call. Ms. McKissick advised that a follow-up letter would not be necessary.

25X1

19. [] FOIA Received a call from Mary, in Representative Goodloe Byron's (D., Md.) office, who inquired as to the status of the Freedom of Information request of Mr. R. J. Harrington. After speaking with [] IPS, I called Mary back and informed her that a letter would be prepared by the Information and Privacy Coordinator and be mailed to Mr. Harrington on Monday.

25X1

25X1

25X1

25X1

25X1

20. [] LIAISON I took a copy of the DDO/
[] memorandum on Soviet Knowledge of U.S. SIGINT Activities to Chuck Snodgrass, House Appropriations Defense Subcommittee staff. [] Assistant to the Director, briefed Snodgrass on the security problems connected with the Village Voice publication of Chairman Otis G. Pike's (D., N. Y.), House Select Committee on Intelligence, report. Snodgrass circled those items which were of security concern to the Agency. Snodgrass explained that copies of the Pike report were placed in his office by the Speaker of the House for various members to read. He wanted to be in a position to explain the security problems involved. [] also discussed the matter of missing documents of the House Select Committee on Intelligence.

25X1

CONFIDENTIAL

Subj.



CENTRAL INTELLIGENCE AGENCY

Office of Legislative Counsel
Washington, D. C. 20505

Telephone:

STAT

TO: Guy McConnell
Senate Appropriations Subcommittee on
Defense
1235 Dirksen Senate Office Building

12 March 1976

Guy:

The attached is for your info regarding
H.R. 12203, Foreign Assistance and Related
Programs Appropriations Bill, 1976.

Associate Legislative Counsel

STAT

hand carried by P.C.

FORM 6-68 1533 OBSOLETE
PREVIOUS EDITIONS

(40)

SUBJECT: H.R. 12203, Foreign Assistance and Related Programs
Appropriations Bill, 1976

The House has passed Subject bill and sent it to the Senate for action. The Senate Appropriations Committee has tentatively scheduled the bill for mark up on 15 March 1976. The bill contains the following amendment proposed by Representative John L. Burton (D., Calif.):

"None of the funds appropriated or made available pursuant to this Act shall be obligated or expended to finance directly or indirectly, (A) the planning or carrying out of any assassination, or, (B) the financing directly or indirectly of any foreign political activity or to otherwise influence any foreign election in peace time."

The above quoted amendment deals with two unrelated but important matters:

1. Assassinations, and
2. Political action in foreign countries.

It is submitted that a last minute floor amendment to a Foreign Assistance Bill, without an opportunity for in-depth study and debate, is not an adequate way of dealing with these two areas, especially in view of the constitutional implications of the latter subject. The following are arguments in support of this position:

1. Assassinations and political activity should not be joined in the same amendment. Most of the members of Congress would not be in favor of assassinations. But, many of these same members would probably be in favor of some sort of foreign political activity. However, joining the two matters in a single

amendment does not give these members a choice of one without the other. To vote against such an amendment would leave a member open to the charge that he was not against assassinations. At the very least, these two matters should be separated.

2. Neither of these matters should be voted on without adequate legislative development. These areas are of major importance and should be the subject of separate, well-prepared propositions so that the issues are clearly drawn in order that members can vote:

a. Whether, under any circumstances, the U.S. Government should be involved in assassinations, and

b. Whether, under any circumstances, the U.S. Government should be involved in political activity in foreign countries.

Piecemeal, ad hoc type legislation, such as is embodied in the Burton amendment, can only lead to bad law.

3. There is no need for the hasty and ill-prepared action that the Burton amendment proposes.

a. The President has already issued an Executive Order prohibiting assassinations. Further, he has publicly stated that he will support legislation banning assassinations. It would be a simple process to develop such a bill.

b. The Church Committee has investigated both matters at length and is expected to make recommendations on both subjects by 10 April 1976.

c. The Pike Committee has already completed its investigations and filed its recommendations with respect to these two areas.

d. The Committee on Government Operations of the Senate has approved S. Res. 400, which would establish increased oversight of intelligence matters, including political actions. The Committee on Rules of the Senate is now studying S. Res 400 and is expected to finish its work in late March or early April.

e. The Committee on Foreign Relations of the Senate has promised to hold hearings during the current session on the matter of the use of covert para-military activity. Such hearings will deal with the matter of foreign political activity related to covert para-military activities.

CONCLUSION

No one opposes a ban on assassinations, but it should be handled by carefully drawn separate legislation. Banning the use of funds in an Appropriations bill is an inappropriate way to go about it, especially when connected with a controversial matter. The Congress is about to get a proposal from the Senate Select Committee on this and can deal with the assassination question directly.

The matter of foreign political activity and para-military operations is expected to be the subject of debate and deliberation in several forums of the Congress in the next few weeks as indicated above. The Congress can debate whether, in this dangerous world of today and an uncertain tomorrow, it should deny the nation a foreign policy option short of landing the Marines. In 1974 both Houses voted not to ban covert foreign political activity. An opportunity to vote again on this issue is near at hand. The Burton amendment on political action should not be allowed to stand as an expression of the sense of Congress until Congress has fully debated the matter and made that decision.